

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

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|-------------------------|---|------------------|
| TIMOTHY MIMS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | CIVIL ACTION NO. |
| v. |) | 2:18cv645-MHT |
| |) | (WO) |
| OFFICER CARDARO MELTON, |) | |
| et al., |) | |
| |) | |
| Defendants. |) | |

SHOW-CAUSE ORDER

Federal Rule of Civil Procedure 4 sets a time limit
for service of a complaint. It provides:

"If a defendant is not served within 90 days
after the complaint is filed, the court--on
motion or on its own after notice to the
plaintiff--must dismiss the action without
prejudice against that defendant or order that
service be made within a specified time. But if
the plaintiff shows good cause for the failure,
the court must extend the time for service for
an appropriate period."

Fed. R. Civ. P. 4(m). Plaintiff filed this lawsuit on
July 9, 2018 and filed an amended complaint on October
31, 2018. Plaintiff timely served one defendant with
the complaint, but he apparently has not served the

other three defendants. More than 90 days have passed since the filing of both the complaint and the amended complaint. Therefore, the court is considering dismissing plaintiff's claims against the three unserved defendants pursuant to Rule 4(m).

Accordingly, it is ORDERED that plaintiff show cause, if any there be, in writing by February 22, 2019, as to why his claims against defendants Officer Cardaro Melton, Captain John Hutton, and Warden Leon Bolling and should not be dismissed without prejudice pursuant to Rule 4(m).

DONE, this the 8th day of February, 2019.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE